IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No.1394 of 1999
with
SPECIAL CIVIL APPLICATION No.1396 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

JK CHAUHAN

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 1394 of 1999
MR BA VAISHNAV for Petitioner No. 1-2
Mr.S.N. Shelat, the learned Advocate General with
Ms.Maithili D. Mehta, AGP, for respondents nos.1,3 & 4.
MR NIKHIL S KARIEL for
TANNA ASSOCIATES for Respondent No. 5

CORAM : HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 19/04/2004

COMMON ORAL JUDGEMENT

Both these petitions are filed seeking various reliefs like,

"Quash and set aside the orders dated 21.8.93, 1.5.98, 2.9.98, and 15.9.98 passed by the respondents granting deemed date of 10.1.77 in the cadre of Police Sub Inspectors, that of 15.1.83, in the cadre of Police Inspectors and placing the respondent no.5 above the petitioners, in the gradation list of Police Sub Inspectors dated 7.1.85 between Shri G.C. Yadav and an incumbent at serial no.17, as being illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India."

Special Civil Application No.1394 of 1999 is filed by two petitioners, viz. J.K. Chauhan and R.P. Punjani against K.K. Sreedharan, PI (Wireless), respondent no.5. Whereas Special Civil Application No.1396 of 1999 is filed by the same petitioners against G.C. Yadav, PI (Wireless), respondent no.5. Mr.M.M. Damor, In-charge Superintendent of Police Wireless, Gujarat State, has filed an affidavit in reply dated 20.01.2004 enclosing therewith a copy of provisional seniority list as on 08.11.2001 at Annexure III, wherein the names of petitioners no.1 and 2 are placed at serial nos.42 and 49 respectively; respondent no.5 in Special Civil Application No.1394 of 1999 (K.K. Sreedharan) is placed at serial no.80; and respondent no.5 in Special Civil Application No.1396 of 1999 (G.C. Yadav) is placed at serial no.81. The said affidavit filed by Mr.Damor supports the contentions of the petitioners. Besides, in Special Civil Application No.2233 of 2002 this Court (Coram: Jayant Patel, J.) by his order dated 20.01.2003 has issued certain directions to the respondent authorities, who are bound to comply with the same. The learned Advocate General appearing for the State submitted that the said directions are in the process of being complied with.

2. In view of that the present petitions will not survive. Disposed of accordingly. Rule is discharged. No order as to costs.

(Ravi R. Tripathi, J.)

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